GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

STARRED QUESTION NO:229
ANSWERED ON:19.03.2002
SEXUAL EXPLOITATION OF CHILDREN
DADICHILUKA VEERA GOURI SANKARA RAO;KAMBALAPADU E. KRISHNAMURTHY

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have endorsed Yokohama Declaration for action at national, regional and international level to eradicate commercial and sexual exploitation of children;

(b) if so, the details thereof;

(c) the number of countries which have pledged to adopt this Declaration;

(d) whether a permanent machinery has been constituted to oversee its implementation; and

(e) if so, the details in this regard ?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT, MINISTER OF SCIENCE AND TECHNOLOGY AND MINISTER OF OCEAN DEVELOPMENT (DR. MURLI MANOHAR JOSHI)

(a),(b),(c),(d)&(e) A Statement is laid on the Table of the House.

STATEMENT IN RESPECT OF PART (a),(b),(c),(d)&(e) OF LOK SABHA STARRED QUESTION NO. 229 FOR 19.3.2 REGARDING SEXUAL EXPLOITATION OF CHILDREN

(a),(b)&(c) 138 countries, including India, sent delegations to the Yokohama Conference organised by Government of Japan, in collaboration with UNICEF, ECPAT International and the NGO Group on the Convention of the Rights of the Child. The conference alopted the Yokohama Global Commitment which included an Explanation Statement by India. In that Statement it was made clear that reference to extra- territorial criminal laws in the said Commitment is intended to ensure that the offender is tried in the country in whose jurisdiction the offence is comitted; if he can not be so tried by virtue of his being not present in that country and his being not extradited for facing trial, he is tried in nthe country of which he is a national or in the country of which he is a habitual resident or in the country where he is present. Statements have also been made by U.S., European Union, Iran and the group of Arab and African States.

(d)&(e) The Commitment does not include any specific mechanism for overseeing its implementation. Trafficking of children is an offence under the Immoral Traffic (Prevention) Act, 1956 (ITPA), and the IPC administered by the States/UTs. The Government has taken the following steps to prevent trafficking of children:

(i) Drawn up a National Plan of Action (1998) and constituted a Central Advisory Committee to combat trafficking, rescue and rehabilitate victims of trafficking and commercial sexual exploitation, and activate legal and law enforcement systems to strengthen implementation of the ITPA.

(ii) Set up State Advisory Committees on Trafficking for the same purpose, devolving authority and seeking to mobilize greater state resources in the fight against trafficking.

(iii) The Department of Women & Child Development (DWCD) has issued guidelines to the States for effective implementation of the Plan of Action and regularly reviews State action.

(iv) The DWCD is presently reviewing the existing legal framework including the Immoral Trafficking (Prevention) Act

(v) DWCD has undertaken regional efforts, in alliance with NGOs, to create greater awareness of the dimensions of trafficking and increase sensitivity to victims among Government departments, the police and judiciary, as well as within civil society at large.

(vi) The National Commission for Women is conducting active advocacy against trafficking in partnership with NGOs. It hasconducted 20 workshops all over the country and has prepared a comprehensive Report on the subject.

(vii) Concerned State Governments have enacted legislation to prohibit Devdasi and prevent Jogin traditions of sexual exploitation.

(viii) Profiling NGOs that are engaged in tackling trafficking and helping to rehabilitate victims.

(ix) The DWCD has initiated a new scheme called SWADHAR for womenin difficult situations applicable to victims of trafficking also. The Scheme provides for shelter, counselling, medical assistance, vocational training to rescued victims.

(x) DWCDhas formulated a model grant-in-aid scheme for assistance to NGOs to combat trafficking in source areas, traditional areas and destination areas through prevention, rescue and rehabilitation. Emphasis is placed on counselling, non-formal education and vocational training.

(xi) DWCDhas notified officers of the level of Inspector and above in the CBI as Trafficking Police Officers for investigation of inter-state trafficking cases.

(xii) The DWCD has proposed to the Ministry of Home Affairs to set up a nodal agency for combating and monitoring of trafficking.

(xiii)The NHRCand DWCD have initiateda Surveyon trafficking within the country. The study will also investigate the causal and behavioral aspects of all agents in trafficking. The DWCD has also commissioned a Survey to go into the magnitude of the problem, an estimate of the numbers involved and trafficking routes.